IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 191 OF 2005

IN

APPEAL FROM ORDER NO. 28 OF 2005

SHRI PRAVIN GROVER AND 3 ORS., ...Applicants

Versus

SHRI SUNIL THUKRAL AND ANR., ...Respondents

Shri A. F. Diniz, Advocate for the appellants.

Shri J. E. Coelho Pereira, Sr. Advocate with Shri V. Korgaonkar, Advocate for the respondents.

Coram:- S.S. PARKAR, J.

Date:- 6th July, 2005

P.C.

The application for interim stay is opposed.

The suits were filed in the year 2000. Since then, there was no ad interim order against the appllicant from acting as the Managing Director of the Company until the application for injunction was disposed of on 31.5.2005. Thereafter, an application was made on 7th June, 2005 for staying the order of injunction granted against the applicants. It is pointed out that earlier the application for injunction was fixed for hearing on 18th June, 2005. Thereafter, the respondents applied for advancing the date of hearing of the application for injunction and the same was heard and disposed of, no doubt after hearing the other side on 31.5.2005. The said order was later on stayed by the trial Court itself on 7.6.2005 and that stay continues till today. Thus, throughout the period right from the filing of the suit in the year 2000 till today, the applicants

continue to be in the management of the Company which is a private Company, having originally two members i.e. the applicant No.1 and respondent No.1. There are issues which require consideration by this Court in appeal which is admitted today.

In the circumstances, the application is allowed in terms of prayer clause (a) of the application. Liberty is given to the respondents to apply in the month of September, 2005 for fixing the date of hearing of the appeal.

S.S. PARKAR, J.